

P/3474-50 (REISSUE)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

J. Lyell GINTER

Date: September 18, 2003

Original Patent No. 6,289,666

Group Art Unit:

Issued: September 18, 2001

Examiner:

For: HIGH EFFICIENCY LOW POLLUTION HYBRID BRAYTON CYCLE  
COMBUSTOR

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Mail Stop Reissue

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**COMBINED DECLARATION AND POWER OF  
ATTORNEY FOR REISSUE PATENT APPLICATION**

As a below named legal representative of the inventor, J. Lyell Ginter, now deceased, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that, upon information and belief, J. Lyell Ginter is the original, first and sole inventor of the subject matter which is claimed and for which a reissue patent is sought on the invention entitled: "HIGH EFFICIENCY LOW POLLUTION HYBRID BRAYTON CYCLE COMBUSTOR", the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an Amendment which is attached.

I acknowledge the duty to disclose all information known to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §120 of any United States application(s) for patent or United States provisional application(s) listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing
United States (Continuation-in-part)	08/232,047 (U.S. Patent No. 5,743,080)	October 27, 1993
United States (Continuation-in-part)	07/967,289 (U.S. Patent No. 5,617,719)	October 27, 1992

Further, upon information and belief, the original patent is partly inoperative or invalid by reason of claiming more or less than the inventor had the right to claim in the patent.

At least one error exists in the claims of the issued patent. In particular, claim 1 of the patent, as originally filed and allowed, was unduly narrow in that it was limited to use of compressed air having a pressure greater than at least about four atmospheres as an oxygen-containing fluid, to the creation of a what was referred to as a working fluid, and to delivery of the working fluid to a work engine. In view of the prior art identified in the attached Information Disclosure Statement, the inventor is entitled to a broader claim which recites an oxygen-containing fluid rather than compressed air, creation of an energetic fluid rather than a working fluid, and delivery of the energetic fluid to a utilization device rather than to a work engine. In addition, in claim 1, the invention is referred to as a power generating system. In view of the prior art, the inventor is entitled to claim a device according to claim 1 as an energy conversion system. Therefore, on information and belief, the inventor claimed less than he had the right to claim in the patent.

On information and belief, all errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the inventor.

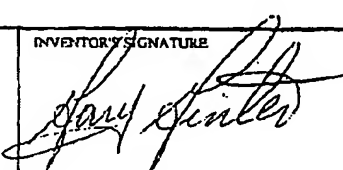
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint customer no. 2352 OSTROLENK, FABER, GERB & SOFFEN, LLP, and the members of the firm, Samuel H. Weiner - Reg. No. 18,510; Robert C. Faber - Reg. No. 24,322; Max Moskowitz - Reg. No. 30,576; James A. Finder - Reg. No. 30,173; William O. Gray, III - Reg. No. 30,944; Louis C. Dujmich - Reg. No. 30,625, and Douglas A. Miro - Reg. No. 31,643, as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the Patent & Trademark Office connected therewith and to receive all correspondence.

Send Correspondence To:Direct Telephone Calls To:

OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 AVENUE OF THE AMERICAS  
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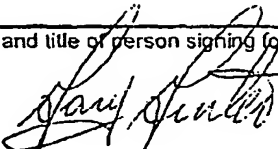
FULL NAME OF SOLE OR FIRST INVENTOR		INVENTOR'S SIGNATURE	DATE
J. Lyell Ginter (Deceased) by Gary Ginter Legal Representative			Sept. 18, 2003
RESIDENCE (City and either State or Foreign Country)		COUNTRY OF CITIZENSHIP	
Chicago, Illinois		USA	
POST OFFICE ADDRESS			
5840 Midway Park, Chicago, IL 60644-1803			

PTO/SB/53 (05-03)

Approved for use through 01/31/2004. ONA 0831-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT</b>		<b>Docket Number (Optional)</b> P/3474-50 REISSUE
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) J. Lyell Ginter		
Patent Number 6,289,666	Date Patent Issued September 18, 2001	
Title of Invention HIGH EFFICIENCY LOW POLLUTION HYBRID BRAYTON CYCLE COMBUSTOR		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are <u>VAST Power Portfolio, LLC</u> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) VAST Power Portfolio, LLC		
Signature	Date	
Typed or printed name and title of person signing for assignee (if assigned) Gary Ginter Managing Member  Sept. 18, 2003.		

This collection of information is required by 37 CFR 1.172. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

P/3474-50 REISSUE

In re Application of

J. Lyell GINTER

Reissue Application of U.S. Patent No. 6,289,666

Filed: Herewith

For: HIGH EFFICIENCY LOW POLLUTION HYBRID BRAYTON CYCLE  
COMBUSTOR

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 CFR 3.73(b)**

VAST POWER PORTFOLIO, LLC, hereby certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

1. [X] A chain of title from the inventor, of the patent application identified above, to the current assignee as shown below:
  - a. From: the Inventor, J. Lyell Ginter To: Ginter Vast Corporation (assignment).  
The document was recorded in the Patent and Trademark Office on April 28, 1998 at Reel 009144, Frame 0739.
  2. From: Ginter Vast Corporation To: Ginter Vast Portfolio, LLC (assignment)  
The document was recorded in the Patent and Trademark Office on September 7, 1999 at Reel 010217, Frame 0048.

3. From: Ginter Vast Portfolio, LLC to VAST Power Portfolio, LLC (change of name). The document was submitted in the Patent and Trademark Office on August 5, 2003. A copy is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

VAST POWER PORTFOLIO, LLC

Date:

Sept. 18, 2003

Name:

Gary Ginter

Title:

Managing Member

Signature:

